

OBTS Number		ARREST / NOTICE TO APPEAR		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		3		Juvenile																
ADMINISTRATIVE	Agency ORI Number FL050015A		Agency Name Palm Beach County State Attorney's Office			Agency Report Number (N.T.A.'s only)																				
	Charge Type: Check as many as apply.		1. Felony 2. Traffic Felony		3. Misdemeanor 4. Traffic Misdemeanor		5. Ordinance 6. Other		If Weapon Seized Enter Type		Multiple Clearance Indicator															
	Location of Arrest (Including Name of Business)						Location of Offense (Business Name, Address)																			
	Date of arrest		Time of Arrest		Booking Date		Booking Time		Jail Date		Jail Time															
DEPENDANT	Name (Last, First, Middle) Haynie, Susan Ince											Aliases (Name, DOB, Soc. Sec. #, Etc.)														
	Race W - White B - Black		1 - American Indian O - Oriental/Asian		W		Sex F		Date of Birth 09/21/1955		Height 503		Weight 150		Eye Color Bro		Hair Color Bro		Complexion Med		Build Med					
	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)											Marital Status Married		Religion		Indication of: Alcohol Influence Drug Influence		Y		N		Unk.				
	Local Address (Street, Apt. Number)				(City)				(State)		(Zip)		Phone ()		Residence Type: 1. City 2. County		3. Florida 4. Out of State		2							
	Permanent Address (Street, Apt. Number)				(City)				(State)		(Zip)		Phone ()		Address Source D.L.											
	Business Address (Name, Street)				(City)				(State)		(Zip)		Phone		Occupation Mayor											
	DIL Number, State				Soc. Sec. Number				INS Number				Place of Birth (City, State) Florida				Citizenship USA									
	Co-Defendant Name (Last, First, Middle)						Race		Sex		Date of Birth		1. Arrested 2. At Large		3. Felony 4. Misdemeanor 5. Juvenile											
	Co-Defendant Name (Last, First, Middle)						Race		Sex		Date of Birth		1. Arrested 2. At Large		3. Felony 4. Misdemeanor 5. Juvenile											
	JUVENILE	Parent Name (Last)						(First)						(Middle)						Residence Phone ()						
Legal Custodian Other:						(City)						(State)						(Zip)						Business Phone ()		
Notified by: (Name)						Date		Time		Juvenile Disposition 1. Handled/Processed within Dept. and Released.		2. TOT HRS/DYS 3. Incorporated														
Released To: (Name)						Relationship						Date		Time												
The above address was provided by defendant and/or defendant's parents. The child and/or parent was told to keep the Juvenile Court Clerk's Office (Phone 365-2536) informed of any change of address.											School Attended				Grade											
Yes, by: (Name)						No: (Reason)						Value of Property														
Property Crime? Yes No		Description of Property						Value of Property																		
Drug Activity N. N/A P. Possess		S. Sell B. Buy T. Traffic		R. Smuggle D. Deliver E. Use		K. Dispense/ Distribute		M. Manufacture/ Produce/ Cultivate		Z. Other		Drug Type N. N/A A. Amphetamine		B. Barbiturate C. Cocaine E. Heroin		H. Hallucinogen M. Marijuana O. Opium/Derv.		F. Paraphernalia/ Equipment S. Synthetic		U. Unknown Z. Other						
Charge Description Official Misconduct				Counts 3		Domestic Violence Y N		Statute Violation Number 838.022(1)(a)				Violation of ORD #														
Drug Activity N		Drug Type N		Amount / Unit N/A		Offense # 17PI000025		Warrant / Capias Number				Bond														
Charge Description Perjury in an Official Proceeding				Counts 1		Domestic Violence Y N		Statute Violation Number 837.02				Violation of ORD #														
Drug Activity N		Drug Type N		Amount / Unit N/A		Offense # 17PI000025		Warrant / Capias Number				Bond														
Charge Description Misuse of Public Office				Counts 1		Domestic Violence Y N		Statute Violation Number 125.69				Violation of ORD #														
Drug Activity N		Drug Type N		Amount / Unit N/A		Offense # 17PI000025		Warrant / Capias Number				Bond														
Charge Description Corrupt Misuse of Public Office				Counts 1		Domestic Violence Y N		Statute Violation Number				Violation of ORD #														
Drug Activity N		Drug Type N		Amount / Unit N/A		Offense # 17PI000025		Warrant / Capias Number				Bond														
NOTICE TO APPEAR	Instruction No. 1 Mandatory Appearance in Court						Location (Court, Room Number, Address)																			
	Instruction No. 2 You need not appear in Court but must comply with instructions on Reverse Side.						Court Date and Time																			
	Month						Day		Year		Time		A.M.		P.M.											
	I AGREE TO APPEAR AT THE TIME AND PLACE DESIGNATED TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE SUBSCRIBED. I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED BY THIS NOTICE TO APPEAR, THAT I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED.																									
ADMIN	Signature of Defendant (or Juvenile and Parent/ Custodian)						Date Signed																			
	WOULD for other Agency Name						Signature of Arresting Officer						Name Verification (Printed by Arrestee)													
	Dangerous Suicidal						Resisted Arrest Other:						Name of Arresting Officer (Print) Det. Diana Burfield #1116													
	Intake Deputy						I.D. #		Pouch #		Transporting Officer		I.D. #		Agency		PAGE 1 OF 1									

DISTRIBUTION: WHITE - COURT COPY GREEN - STATE ATTORNEY YELLOW - AGENCY PINK - JAIL GOLD - DEFENDANT (N.T.A.'s ONLY)

Print Form

**OFFICE OF THE STATE ATTORNEY
FIFTEENTH JUDICIAL CIRCUIT
PROBABLE CAUSE AFFIDAVIT**

OBTS CHARGE TYPE ☐ 1. Arrest ☒ 3. Request for Warrant
 ☐ 2. N.T.A. ☐ 4. Request for Capias

Agency ORI NUMBER FL 050015A Agency Report Number:

Charge Type: ☒ Felony ☒ Misdemeanor

Defendant: Haynie, Susan Race: W Sex: F DOB: 9/21/55

Charge(s)

1. Official Misconduct 838.022(1)(a) 3 Counts
2. Perjury in an Official Proceeding 837.02
3. Misuse of Public Office 125.69, Code of Ethics Violation 2-443(a)(1)(2)
4. Corrupt Misuse of Public Office 125.69, Code of Ethics Violation 2-443(b)
5. Failure to Disclose Voting Conflict 125.69, Code of Ethics Violation 2-443(c)

Victim: State of Florida Race: Sex: DOB:

The undersigned certifies and swears that he/she has probable cause to believe, and does believe that the above named Defendant committed the following violation of law.

The person taken into custody

☐ committed the below acts in my presence.

☐ confessed to ____admitting the above facts.

☐ observed by witness=s who told that he/she saw the arrested person commit the below acts.

☒ Was found to have committed the below acts, resulting from my (described) investigation.

NARRATIVE:

In March 2017, the Palm Beach County State Attorney's Office received complaints that Mayor Susan Haynie, while an elected official in the City of Boca Raton, used her position to vote on issues having a favorable financial impact on a developer who owns a substantial amount of property within the City. Moreover, the complainants alleged that Susan Haynie failed to disclose income she received from the developer, James Batmasian, while conducting business with him and his companies through a company she owned with her husband.

The scope of my investigation was the time period between March 2014 through 2017. Susan Haynie was elected as the Mayor of the City of Boca Raton in March of 2014. I began by researching the company that Haynie was said to own with her husband, Community Reliance LLC. According to records obtained from the State of Florida Division of Corporations, Document #L07000018868, filed April 24, 2008 with the Secretary of State, Neil Haynie and Susan Haynie were both listed as Managing Members of the LLC. In 2014 and 2015, both were still listed as Managing Members. In 2016 and 2017, only Neil Haynie was listed as being the Managing Member.

In accessing background information, I could see that Haynie was listed as the owner of the home she occupies with her husband at [REDACTED] as well as a property in Key Largo, 97652 Overseas Hwy, HH43. A check of the search function through the Palm Beach and Monroe County Property Appraisers offices showed that Susan Haynie has owned the home on [REDACTED] since 1997 and the property in Key Largo since 1996.

A Check of Sunbiz.org revealed that Susan and Neil Haynie started a company called Computer Golf Software of Nevada, Inc. in 2000. Susan Haynie was listed as the Vice President at that time. She continued to be listed as the Vice President until the 2010 filing of the annual report with the State of Florida. At that time, only J.N. Haynie was listed as President.

In the complaints, it was explained that James Batmasian and his company own 1400 of the 1600 condos at Tivoli Park. The condominium association at Tivoli Park employed Haynie's company, Community Reliance LLC, and compensates the company at least \$12,000 per year to manage the property. This amount is well below the expected income for managing a property of this size, which would normally command an income of nearly \$150,000 to \$200,000 per year.

As the elected mayor of Boca Raton, Haynie was required by the State to fill out a Form 1 Statement of Financial Interests annually. On that form, Haynie was required to disclose sources and types of income and financial interests, employers, real property holdings, intangible personal property and liabilities.

I looked at the Form 1 statements Haynie has submitted since taking office in 2014:

For 2014, Haynie lists as her primary source of income, Stanley Steemer of S. FL, 2085 S. Congress Ave, Delray Beach, FL 33445. Haynie lists no secondary sources of income, no real property (real estate). The 2014 Form 1 was signed by Haynie and dated 6-15-15.

For 2015, Haynie lists "None" as her primary source of income. She also wrote "None" in the sections for secondary sources of income and real property. That form was signed by Haynie and dated 6-10-16.

For 2016, Haynie lists "None" as her primary source of income. She wrote "None" in the section for secondary sources of income. In the real property section, she listed "97652 Overseas Hwy, #43, Key Largo, FL". The form was signed by Haynie and dated 1/4/17.

On September 27, 2017, I issued a subpoena to Bank of America covering January 1, 2014 to present for any and all accounts containing the following information: Susan Haynie and Community Reliance, LLC. Responsive to my subpoena, Bank of America sent documents to me on October 27, 2017. I received information on the following accounts:

Joint account, Susan and J. Neil Haynie Property Management, acct ending [REDACTED]
Susan Haynie, acct ending [REDACTED]

I noticed that there was a steady stream of income into the joint Property Management account [REDACTED] from rents collected on properties owned by the Haynies. **Among those checks were several written to "Susan Haynie" from individuals paying rent for the property Haynie owns in Key Largo.** In addition to that, there were **two checks written from an account at Wells Fargo Bank from an account for Community Reliance, LLC. Those checks were written to "Susan Haynie", were signed by Susan Haynie, and endorsed by Susan Haynie.** In all, the joint Property Management Account at Bank of America, account [REDACTED] received income totaling \$225,931.70 between March 2014 and 2017.

Haynie collected rent on the property in Key Largo and deposited the checks into both the joint Property Management account and her personal account. **The total of the rental income Haynie collected for the Key Largo**

property between March 2014 and 2017 was \$45,187.50. These figures are based solely on the checks that were deposited into the two accounts.

I was able to locate additional accounts at Wells Fargo Bank. Those accounts were from Community Reliance, LLC and Computer Golf Software of Nevada, Inc. After locating these accounts, I delivered a subpoena to Wells Fargo Bank covering January 1, 2014 to present for any and all accounts containing the following information: Susan Haynie, Community Reliance, LLC, and Computer Golf Software of Nevada, Inc. Responsive to my subpoena, Wells Fargo sent documents to me on February 26, 2018. I received information on the following accounts:

Computer Golf Software, account ending [REDACTED]
Community Reliance, LLC, account ending [REDACTED]

I examined the documents I received and here is what I found:

Community Reliance LLC account ending [REDACTED] received the following **income from Tivoli MPA** with all checks being signed by Marta Batmasian:

2014	\$10,057.55
2015	\$15,957.35
2016	\$14,148.76
2017	\$16,490.15

In addition, Community Reliance LLC account received the following income in the form of **checks written to Community Reliance from the Batmasians and/or Investments Limited:**

2016	\$63,694.37
2017	\$20,345.24

Income to Susan Haynie from all previously undisclosed sources:

2014

Joint Property Management Acct.	\$36,687.40
Computer Golf Software (checks Haynie wrote to herself)	\$24,900.00
Key Largo Rental Property (checks written to Haynie)	<u>\$11,512.50</u>
TOTAL	\$73,099.90

2015

Joint Property Management Acct.	\$82,280.00
Computer Golf Software(checks Haynie wrote to herself)	\$27,200.00
Key Largo Rental Property (checks written to Haynie)	<u>\$18,600.00</u>
TOTAL	\$128,080.00

2016

Joint Property Management Acct.	\$63,340.00
Computer Golf Software(checks Haynie wrote to herself)	\$ 6,500.00
Key Largo Rental Property (checks written to Haynie)	\$10,800.00
Community Reliance(only checks Haynie wrote to herself)	<u>\$ 5,300.00</u>
TOTAL	\$85,940.00

2017

Joint Property Management Acct.	\$43,624.00
Key Largo Rental Property (checks written to Haynie)	<u>\$ 4,275.00</u>
TOTAL	\$47,899.00

In my examination of all of the accounts associated with Property Management (Joint Property Management Account, Bank of America) or businesses (Community Reliance LLC and Computer Golf Software of Nevada, Inc., Wells Fargo) I found that Susan Haynie was a beneficial owner of each account. Haynie regularly wrote checks from all of the accounts, using funds to pay personal and professional bills as well as to pay herself an income. She was listed on all of the accounts as an owner and signed signature cards in association with opening the accounts.

I researched Haynie's voting history within the City of Boca Raton. I located four votes that occur within the time frame of my investigation:

Resolution 68-2016 regarding 701 E Palmetto Park Rd, Boca Raton, a property owned by James Batmasian to allow a free-standing sign. (9-13-16 Council Meeting) Resolution passed 5-0 with Haynie voting in favor of the resolution.

Resolution 9-2017 regarding 331 and 351 E Yamato Rd, Boca Raton, properties owned by Yamato Investments, LLC, a company owned by James Batmasian to repeal a former order to alter and relocate signs on the property and approve sign copy for four tenants on a new freestanding sign. (1-10-17 Council Meeting) Resolution passed 3-2 with Haynie voting in favor of the resolution.

Resolution 34-2017 regarding 171 E Palmetto Park Rd, Boca Raton, a property owned by James Batmasian to allow Batmasian to use 3 City-owned parking spaces to establish a valet parking service in front of his restaurant, Casa D'Angelo. (2-28-17 Council Meeting) Motion passed 5-0 with Haynie voting in favor of the resolution.

Resolution 66-2017 regarding 141 NW 20th St, Boca Raton, a property owned by Tottenham Investments LLC, a company owned by James Batmasian to be rezoned for personal services, retail, medical office, restaurant and fast food from General Industrial (M-2) zoning. (6-13-17 Council Meeting) Resolution was approved 4-0 with Haynie voting in favor of the resolution.

On November 3, 2017, the Palm Beach Post published an article titled, "Secret financial ties between Boca Mayor, developer Batmasian revealed." The article stated "Community Reliance has earned \$12,000 a year since 2010 from the association that operates Tivoli Park. That was recently increased to about \$14,000 a year, the Batmasians told The Post." Later in the article, the writer states, "...she (Haynie) maintains she did not have to disclose Community Reliance because the money goes to her husband even though her name was on corporate records until last year." Continuing several pages into the article, this information appeared, "In another business link, Community Reliance installed security cameras at the Batmasians' Royal Palm Place..." The writer then stated, "Haynie said her husband didn't earn any money on that job."

On January 31, 2018, Investigator Irizarry at the Palm Beach County Commission on Ethics informed me that she and Investigator Ron Moali formally interviewed Susan Haynie on January 17, 2018. On February 7, 2018, I sent a subpoena requesting a copy of the interview from Investigator Moali. In listening to the sworn, recorded interview, I obtained the following information:

Haynie was sworn in by Investigator Abigail Irizarry, who informed Haynie of several investigations she and Moali were conducting.

Haynie stated she had no involvement in running or conducting business for Community Reliance LLC or Computer Golf Software.

When asked about another entity that was conducting business with Tivoli Park MPA and the Batmasians, "Surveillance Doctors" Haynie stated that there was "No such company." She said this was not a real company and they had no clients. Haynie went on to say that Tivoli Park MPA needed someone to link their existing surveillance cameras to a web-based program so they could be viewed online. She said he (**Neil Haynie**) never installed any equipment, he simply set up a server and **he was never compensated for any work having to do with surveillance cameras.**

(This statement by Haynie is in direct contrast to the statement Marta Batmasian made in an email exchange with Investigator Moali following his interview of her (Batmasian) on January 30, 2018 where Batmasian wrote, "Mr. Neil Haynie...was entrusted to install security cameras at Tivoli Park...around April 2016... When she was later asked to provide an approximate amount of money Community Reliance was paid for the installation of the systems, she wrote, "...\$20,000 at Boca Bend in December of 2016, \$22,000 at Royal Palm, incrementally"

When Investigator Moali questioned Haynie, about primary sources of income, he asked Haynie if she had received any income at all from Community Reliance between 2012 and 2016. **She answered, "No, I did not."**

In fact, Haynie wrote two checks to herself from the Community Reliance bank account:

Check #1704	Dated: 03/14/16	Amount \$ 1,500
Check #1722	Dated: 05/26/16	Amount \$ 3,800

He then asked her about secondary sources of income, and she again stated, "No, I received no income from Community Reliance." He then asked her if she had **any** secondary sources of income and **she said, "There was no income."**

In fact, Haynie received approximately \$72,600 from the company owned by her husband, Computer Golf Software of Nevada, Inc.

He then asked her about her interests in any business, including Community Reliance and she said she had none. He clarified that he was asking about all of those sections for all of the years between 2012 and 2016.

Based on my investigation, there is probable cause to charge Susan Haynie with the following offenses:

Three (3) Counts of Official Misconduct, F.S.S. 838.022(1)(a), a third degree felony. Susan Haynie knowingly and intentionally falsified her Form 1 Statement of Financial Interests for 2014, 2015 and 2016 by omitting the fact that she was being compensated by James and Marta Batmasian and their business(es).

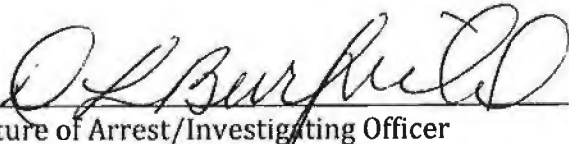
Perjury in an Official Proceeding, F.S.S. 837.02, a third degree felony. On January 17, 2018, Susan Haynie gave sworn testimony during an official statement taken under oath during an administrative investigation by the Palm Beach County Commission on Ethics and the State Commission on Ethics. Investigators Abigail Irizarry and Ron Moali were authorized to take sworn testimony from Haynie as evidence in an official investigation. During that testimony, while under oath to tell the truth, Haynie made false statements that she knew, at the time, were false.

Section 2-443 (a)(1)(2) Misuse of Public Office, under F.S.S. 125.69, a first degree misdemeanor. This section states that an official shall not use her official position or office, or take any action in a manner which he or she knows or should know with the exercise of reasonable care will result in a special financial benefit, not shared with similarly situated members of the general public, for (1) herself or (2) her spouse. Susan Haynie is the elected Mayor of the City of Boca Raton. On four occasions, Haynie participated in voting on issues pertaining to James and/or Marta Batmasian and/or their companies which resulted in special financial benefit to her and her husband J. Neil Haynie and their business(es), Community Reliance LLC and Computer Golf Software of Nevada, Inc. in that they were being compensated at the time of the votes by James and Marta Batmasian and/or their company(ies).

Section 2-443 (b) Corrupt Misuse of Official Position, under F.S.S. 125.69, a first degree misdemeanor. This section states that an official shall not use her official position or office to corruptly secure or attempt to secure a benefit for herself or others. For the purposes of this subsection, "corruptly" means done with a wrongful intent and for the purpose of obtaining, or compensating or receiving compensation for, any benefit resulting from some act or omission of an official which

is inconsistent with the proper performance of her public duties. Susan Haynie voted on four occasions during 2016 and 2017 while being compensated by the people benefitting from the outcomes of the votes. During 2016, Susan Haynie and her husband, through the companies they operated, received a total of \$77,843.13 in 2016 and \$36,835.39 in 2017. This income was undisclosed.

Section 2-443 (c) Disclosure of Voting Conflicts, under F.S.S. 125.69, a first degree misdemeanor. This section states that county and municipal officials as applicable shall abstain from voting and not participate in any matter that will result in a special financial benefit. Susan Haynie failed to disclose voting conflicts when she participated in votes benefitting herself, her husband and the Batmasians and/or their company(ies) on the following dates: September 13, 2016, January 10, 2017, February 28, 2017 and June 13, 2017.



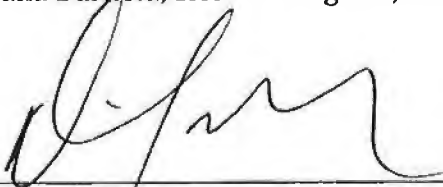
Signature of Arrest/Investigating Officer

Name of Officer: Detective Diana Burfield
Office of the State Attorney
401 N. Dixie Highway
West Palm Beach, FL. 33401

State of Florida

County of Palm Beach

The foregoing instrument was acknowledged before me this 10th day of April, 2018 by Det. Diana Burfield, SAO Investigator, who is personally known to me.


Notary Public/Clerk of Court/Officer (F.S.S. 117.10)